

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LOCAL 786 LUMBER EMPLOYEE)	
RETIREMENT FUND and MICHAEL YAUGER,)	
as Trustee of the Local 786 Lumber Employee)	
Retirement Fund,)	Case No. 13 cv 00437
Plaintiffs,)	
v.)	Judge John Z. Lee
)	
MAYFAIR LUMBER CO.,)	
an Illinois Corporation,)	
Defendant.)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

NOW COME Plaintiffs, the Local 786 Lumber Employee Retirement Fund, and Michael Yauger as trustee of the Local 786 Lumber Employee Retirement Fund, by and through their attorney, Anthony Pinelli, and respectfully request this Honorable Court to enter a default judgment in the amount of \$1,149,326.50 for the reasons stated below:

1. Plaintiffs filed a complaint on January 18, 2013 seeking payment of an amount of withdrawal owed by Defendant corporation as a result of its cessation of contributions to the Local 786 Lumber Employee Retirement Fund, a multi-employer pension benefit fund, pursuant to 29 USC §1001-1461, more specifically 29 USC §1381(b).
2. As established by the attached summons and proof of service, the complaint was served by hand delivery on January 28, 2013 at the residence of the corporation's registered agent.
3. A responsive pleading was due on February 18, 2013 and no appearance or answer has been filed as of this date.
4. As established by the attached affidavit and exhibits, the amount owed for withdrawal liability is \$1,147,326.00.
5. Further, the Pension Fund has paid filing fee costs of \$355.00 and attorney's fees of

\$2,167.50.

6. All documents upon which the calculation and assessment of the withdrawal liability, as well as fees and costs paid by the Pension Fund are demonstrated in the attached affidavit of Fund Administrator, Jeffrey W. Hoff and attachments thereto.
7. The total amount requested is the sum of \$1,149,326.50.

WHEREFORE, Plaintiffs request that this Honorable Court enter judgment on behalf of Plaintiffs in the amount of \$1,149,326.50.

Respectfully submitted,

s/Anthony Pinelli

Anthony Pinelli

Attorney for Plaintiff

Anthony Pinelli
Law Office of Anthony Pinelli
53 West Jackson Blvd., Suite 1460
Chicago, Illinois 60604
312/583-9270